

Applicant(s): Daly, et al.  
Serial No.: 09/672,148  
Filed: September 28, 200

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#### REMARKS

This paper is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner in is believed to place the application in a condition for allowance. Favorable reconsideration and allowance of the application are respectfully requested.

As noted in the October 5, 2007 Notice, only the corrected section of the non-compliant amendment is included in this paper.

#### ERRONIOUS POWER OF ATTORNEY

On June 19, 2007, a Notice of Non-Compliant Amendment was mailed in this case. On July 16, 2007, the USPTO mailed a notice stating that the Notice of Non-Compliant Amendment issued on June 19, 2007 was issued in error.

However, on July 11, 2007, the previous assignee of this application, Dictaphone Corporation, responded to the June 19, 2007 Notice of Non-Compliant Amendment. The power of attorney and the July 11, 2007 Response filed by the Dictaphone Corporation and its representatives were filed in error. Attached is a Request for Withdrawal of Power of Attorney and declarations by Richard Wong and Steven J. Moore attesting to their error.

The October 5, 2007 Notice of Non-Complaint Amendment was mailed in response to the erroneous listing of claims filed on July 11, 2007.

To correct the record, Applicants are responding to October 5, 2007 Notice including the listing of claims filed on June 8, 2007, which is compliant with the requirements under 37 CFR 1.12.

#### Interview Summaries

On July 12, 2007, Caleb Pollack, Reg. No. 37,912 had a telephone conversation with Examiner Rosa Holland, who signed the June 19, 2007 Notice of Non-Compliant Amendment. Examiner Holland stated in this conversation that the June 19, 2007 Notice was sent in error.

During a November 1, 2007 telephone conversation, Caleb Pollack, Reg. No. 37,912 and Examiner Armstrong discussed the above mentioned events. Examiner Armstrong suggested

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that in response to the Notice of Non-Compliant Amendment of October 5, 2007, the undersigned should file the claims filed on June 8, 2007.

### CONCLUSION

In view of the foregoing remarks, and for at least the reasons discussed above, Applicants respectfully submit that the pending claims are allowable. Their favorable consideration and allowance is respectfully requested.

The Examiner is invited to telephone the undersigned to discuss any still outstanding matters with respect to the present application.

No fees are believed to be due associated with this paper. However, if any such fees are due, please charge such fees to deposit account No. 50-3355.

Respectfully submitted,  
  
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Dated: November 5, 2007  
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